

## The C A S E of the Dean and Chapter of BANGOR, about Llanddinam.

**T**HE Rectory of *Llanddinam* was Anciently divided into two equal Moyeties or Comportions (as they were called) besides several small Vicarages, and both these Comportions, being Presentative Ecclesiastical Livings, were in the Gift of the Bishop of *Bangor*, who is both Patron and Ordinary thereof.

One of these Comportions being in the Possession of the present Lord Bishop of *London*; fell void by his promotion to that See; and *K. Charles 2d*, who claim'd the disposal of it, for that one Turn, by Virtue of his Prerogative, would have Conferr'd it on Mr. *Hill*, then, or lately before, a Preacher in *Zealand*: But he being (as is supposed) unwilling to perform the Conditions required to obtain the Institution, procured the Grant of this Comportion, to be made to Mr. *Spademan*, who had Institution to it in the year Sixteen Hundred Seventy Four, not to his own Benefit, but in Trust for Mr. *Hill*, as Mr. *Hill* himself sets forth in his Petition to the House of Commons, as is mentioned in the Votes of the Fourteenth of *January* last.

1684 The other Comportion being fallen void in the Year 1684, Dr. *Humphrey Lloyd*, then Bishop of *Bangor*, took it in Commendam, and considering the Cathedral Church of *Bangor* had not one Penny Revenue to support the Fabrick, or maintain the Choir within, so that it was maintained only by the Charity of the Gentry and Clergy: And considering that the Vicars of *Llanddinam* had but very small Maintenance, 1685 procured an Act of Parliament 1. *Jacob. 2.* to vest both the said Comportions, upon the next Avoidance that should happen in the Dean and Chapter of *Bangor*, not to their own USE, but in Trust, for Increase of Five Poor Vicarages upon the Place, and for support of the Fabrick and Choir of the Church of *Bangor*, which was then in great Decay, and still wants very great Repairs.

1688 This Comportion held by Bishop *Lloyd*, fell void by his Death, and hath been ever since Enjoyed by the Dean and Chapter, and by them applied entirely to those Pious Uses to which they were appointed by the Act of Parliament, and in such Proportions as the late Arch-Bishop *Sancroft*, and the then Bishop of *Bangor*, directed; and as they were empowered by the said Act to do.

1690 The other Comportion became void by Mr. *Spademan's* not taking the Oaths to the King and the late Queen, of blessed Memory, as obliged by the Act for Abrogating the Oaths of Allegiance and Supremacy, and appointing other Oaths, &c. And is by that Avoidance, Legally and actually Vested in the said Dean and Chapter, to the Pious and Charitable Uses aforesaid.

But the Possession was, and still is detained from them by the Power and Interest of Mr. *Hill*.

1694 The Dean and Chapter brought their Ejectment, which coming to be Tryed at *Salop*, there, upon pretence of a Fault in the Declaration, they were Nonsuited.

The pretended Fault was, That no Lease was Sealed to the Lessee in the Ejectment, whereas the Common Practice hath been, that Lease Enter and Outry shou'd be Confessed; but here it was denied.

1694 After this the Dean and Chapter brought a new Ejectment, but this was stopped by Arts and Amusements of Mr. *Hill*, in order to delay Proceedings at Law, and to bring this Bill in Parliament, to reinvest the Rectory of *Llanddinam* in Mr. *Spademan*, for the Benefit of him the said Mr. *Hill*, which it is Pray'd may not pass.

First, Because he never had any Pretention to the Rectory of *Llanddinam*, but to one Share or Moyety of it.

2. Because the Transaction between Mr. *Hill* and *Spademan* for the first Obtaining and Enjoying this Comportion, was by no means fair and Legal, and tends to overthrow all the Laws against Symony and for Uniformity.

For if one may take a Living, and be Instituted to it for the Benefit of another, then he, for whose Advantage it is, may safely pay Money for obtaining such Living; and he that is Instituted, may take the Oath against Symony safely, for he gave no Money, nor knows of none, and yet the true Symoniac may enjoy the Profits.

If one Man may be Employed to take Institution, take Oaths and make Subscriptions instead of another, then any Papist, Socinian, or Jew &c. may have the benefit of any of the Dignities or Benefices of the Church, if he can procure any one that will do the same Kindness for him, as Mr. *Spademan* did for Mr. *Hill*.

If this Secret had been known in the late Reign, it is easy to imagine what had become of all our Church Preferments.

Since Mr. *Hill* never had any Legal Title to this Comportion, and Mr. *Spademan* has forfeited his Title also (if ever he had any) it is hoped, That such an extraordinary Method as making a new Law, to give him a New Title in Law which at present he hath not, will not pass.

It is hoped that a new Law will not be made to defeat a Charity designed for the Increase of Poor Vicarages, and Maintenance of Ten, or more Poor Men, and Youths, and for Repairing of a Ruinous Cathedral, to which they have a present Right, in order to increase the Riches of a Wealthy Preacher in Foreign Parts, who has already receiv'd the Profits, without any good Right, for 22 Years, amounting to about Seventeen Hundred Pounds.

It does not appear that Mr. *John Spademan* that took the Oaths at *Hick's Hall*, is the same *Spademan* that was Instituted to *Llanddinam*, there being no addition to his Name, in the Certificate annexed to Mr. *Hill's* Petition, signifying either his place of Abode or Calling.

Nor doth it appear, That the same *John Spademan*, who was Instituted to *Llanddinam*, is now alive; he having never appeared at *Llanddinam*, since the time of his Institution in the Year Sixteen Hundred Seventy four, nor ever attended any Episcopal Visitation, or Diocesan Synod, which he was as much obliged to do, and as lyable to Punishment, for not doing, as any Incumbent in the Diocese.

Lastly, The Passing such a Bill as this to restore Mr. *Spademan* to what he hath forfeited by not taking the Oaths, may be of dangerous consequence, in the Example, to the Government, and to several Loyal and Worthy Persons, who are preferred, and Employed in such Places, as others have forfeited by not taking the Oaths in due time; and some that have since taken the Oaths, are not Restor'd to the Livings which they so forfeited; and if the said Comportion had been now a Presentative Living (as it was when *Spademan* had it in Sixteen Hundred Seventy four) it would have been disposed of soon after the First of *February*, Sixteen hundred Eighty Nine, as other Livings were.

**Objection.** They may Object, That it is hard to take advantage of *Spademan's* not taking the Oaths in due time, he being beyond Sea.

**Answer.** There is a Weekly Correspondence between *England* and *Rotterdam*; no Act past here, but was soon known there, even to Persons of less Intelligence than Mr. *Hill*; the *Dutch* Prints give Weekly Account of what passes in Parliament; as they did of the Depriving of the Bishops and others for not taking the Oaths; however, an Act of Parliament being once past, every one concerned in it, is obliged at his peril, to take notice of it; and so was *Hill* and his Trustee *Spademan*, who did not take the Oaths, till he Heard the Dean and Chapter were about Seizing the Comportion, as forfeited by the Act, and he might (and no doubt did) Hear as well of the Act it self.

**Answer.** Secondly, That the said Comportion being by the said Act 1. *Jac. 2.* Vested in the Dean and Chapter in Trust, for the Augmentation of Five poor Vicarages, maintenance of the Choir, and Repairs of a large Ancient Ruinous Cathedral; the Dean and Chapter could, but take all the advantage the Law allowed them by *Spademan's* Forfeiture, in Virtue of their said Trust; and their Neglecting to do so, or their Conniving to Divert and misapply what is by Law appointed for those Charitable and Pious Uses, would have been in them a kind of Sacrilegious Attempt.

Such Diverting or misapplying, (as well as any difference arising about the same) being also by the said Act of Parliament referred to the Determination of the Lord Archbishop of *Canturbury* for the time being.

That *Spademan* is still as much a Trustee as ever for *Hill*, as is owned in his Petition (and mentioned in the Votes of the House of Commons, of the 14th of *January* last) tho' the Words Declaring such Trust be Omitted in the Bill, as now brought up from the House of Commons.

on  
Spademan is  
since turned  
Non Res.  
as no use told  
to believe